

CLASSIFICATION OFFICE DECISION

Title of publication: IMG-20180826-WA0013

Other known title(s): Not stated

OFLC ref: 2000330.020

Medium: Image File

Maker: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Unrestricted.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 25 November 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 25 November 2020

Summary of reasons for decision:

‘IMG-201880826-WA0013’ is an image that captures the back of a naked child standing in a bathtub. The image is naturalistic in tone is not reasonably capable of being regarded as sexual in nature. It therefore does not get through the “subject matter gateway” of s3(1) of the Films, Videos, and Publications Classification Act 1993, nor does it deal with matters under s3A or s3B of that Act. The publication must therefore be classified as unrestricted. An unrestricted classification imposes no limitations on the right to freedom of expression as affirmed by the New Zealand Bill of Rights Act 1990.